

DEC 20 2006

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| | | | |
|--|-----------------------------|---|---------------|
| From: David S. Resnick | Date: December 20, 2006 | No. of Pages: (including this page) 13 | 003252-053292 |
| Attorney Docket Number: 003252-053292 | | PATENT | |
| IN THE UNITED STATES PATENT AND TRADEMARK OFFICE | | | |
| Applicant: Farber, et al. | Group No.: Not yet assigned | | |
| Serial No.: 10/576,388 | Examiner: Not yet assigned | | |
| Filed: I.A. 02/03/2004 | | | |
| Title: METHODS AND COMPOSITIONS FOR INHIBITING CHOLESTEROL UPTAKE | | | |
| MAIL STOP MISSING PARTS Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313 | | | |
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| 1. Certificate of Transmission (1 pg.); 2. Transmittal Letter to the United States Designated/Elected Office (DO/EO/US) Concerning a Submission under 35 U.S.C. 371 (3 pp.); 3. COPY - Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US) (2 pp.); and 4. Declaration and Power of Attorney (6 pp.); Executed by Farber (3 pp.); Executed by Smart (3 pp.). | | | |

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CONFIRMATION: DATE SENT December 20, 2006 TIME _____BY David S. Resnick

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Attorney Docket Number: 003252-053292

DEC 20 2006 PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Farber, et al.
Serial No.: 10/576,388
Filed: I.A. 02/03/2004
Title: METHODS AND COMPOSITIONS FOR INHIBITING CHOLESTEROL UPTAKE

Group No.: Not yet assigned
Examiner: Not yet assigned

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CERTIFICATE OF TRANSMISSION (37 C.F.R. § 1.8(b))

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is on the date shown below being:

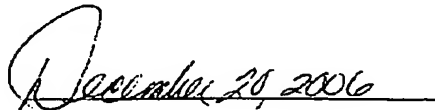
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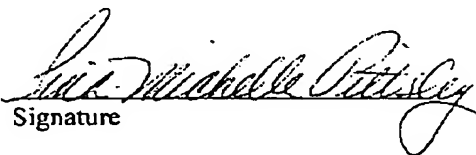
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Date:


December 20, 2006

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Tina-Michelle Pittsley
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| | | | |
|---|--|--|--|
| FORM PTO-1350 (REV. 12-2001) | | U. S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE | ATTORNEYS DOCKET NUMBER 003252-053292 |
| TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371 | | | U.S. APPLICATION NO. (if known, see 37 CFR 1.5) 10/576,388 |
| INTERNATIONAL APPLICATION NO. PCT/US04/03020 | INTERNATIONAL FILING DATE 03 February 2004 | PRIORITY DATE CLAIMED 03 February 2003 | |
| TITLE OF INVENTION METHODS AND COMPOSITIONS FOR INHIBITING CHOLESTEROL UPTAKE | | | |
| APPLICANT(S) FOR DO/EO/US Thomas Jefferson University, et al. | | | |
| <p>Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:</p> <ol style="list-style-type: none"> <input type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371. <input checked="" type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371. <input checked="" type="checkbox"/> This is an express request to promptly begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below. <input type="checkbox"/> The US has been elected by the expiration of 19 months from the priority date (Article 31). <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) <ol style="list-style-type: none"> <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). <input checked="" type="checkbox"/> has been communicated by the International Bureau. <input checked="" type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). <ol style="list-style-type: none"> <input type="checkbox"/> is attached hereto. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)). <ol style="list-style-type: none"> <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). <input type="checkbox"/> have been communicated by the International Bureau. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. <input type="checkbox"/> have not been made and will not be made. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). <input type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)). <p>Items 11 to 20 below concern document(s) or information included:</p> <ol style="list-style-type: none"> <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. <input type="checkbox"/> A FIRST preliminary amendment. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76. <input type="checkbox"/> A substitute specification. <input type="checkbox"/> A change of power of attorney and/or address letter. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4). <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4). <input checked="" type="checkbox"/> Other items or information: Facsimile Cover Sheet; Certificate of Transmission; COPY – Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US) | | | |

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| | | | | | |
|--|--------------|---|------------|-------------------------|--------------|
| U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.50) | | INTERNATIONAL APPLICATION NO. | | ATTORNEYS DOCKET NUMBER | |
| 10/576,388 | | PCT/US04/03020 | | 003252-053292 | |
| The following fees are submitted: | | | | CALCULATIONS | PTO USE ONLY |
| 21. <input type="checkbox"/> Basic national fee (37 CFR 1.492(a))..... | | | | \$ | |
| 22. <input type="checkbox"/> Examination fee..... | | | | \$ | |
| If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)..... | | | | | |
| All other situations..... | | | | | |
| 23. <input type="checkbox"/> Search fee..... | | | | \$ | |
| If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)..... | | | | | |
| Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority..... | | | | | |
| International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB..... | | | | | |
| All other situations..... | | | | | |
| TOTAL OF 21, 22 and 23 = | | | | \$ | |
| <input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) or computer program listing filed in an electronic medium) (37 CFR 1.492(j)). The fee is \$250 for each additional 50 sheets of paper or fraction thereof. | | | | | |
| Total Sheets | Extra sheets | Number of each additional 50 or fraction thereof (round up to a whole number) | RATE | | |
| - 100 = | /50 = | | x \$250.00 | \$ | |
| Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)). | | | | \$ | |
| CLAIMS | NUMBER FILED | NUMBER EXTRA | RATE | | |
| Total claims | - 20 = | | x \$50.00 | \$ | |
| Independent claims | - 3 = | | x \$200.00 | \$ | |
| MULTIPLE DEPENDENT CLAIM(S) (if applicable) | | | + \$360.00 | \$ | |
| TOTAL OF ABOVE CALCULATIONS = | | | | \$ | |
| <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2. | | | | \$ | |
| SUBTOTAL = | | | | \$ | |
| Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)). | | | | \$ | |
| TOTAL NATIONAL FEE = | | | | \$ | |
| Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property + | | | | \$ | |
| TOTAL FEES ENCLOSED = | | | | \$ | |
| | | | | Amount to be refunded: | \$ |
| | | | | Amount to be charged: | \$ |

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- a. ☐ A check in the amount of \$_____ to cover the above fees is enclosed.
- b. ☐ Please charge my Deposit Account No. 19-2380 in the amount of \$_____ to cover the above fees. A duplicate copy of this sheet is enclosed.
- c. ☐ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 19-2380. A duplicate copy of this sheet is enclosed.
- d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

NIXON PEABODY LLP
100 Summer Street
Boston, MA 02110-2131


SIGNATURE

NAME

David S. Resnick

REGISTRATION NUMBER

34,235

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| | | |
|-------------------------------|-----------------------|------------------|
| U.S. APPLICATION NUMBER NO. | FIRST NAMED APPLICANT | ATTY. DOCKET NO. |
| 10/576,388 | STEVEN FARBER | 003252-53292 |
| INTERNATIONAL APPLICATION NO. | | |
| PCT/US04/03020 | | |
| I.A. FILING DATE | | PRIORITY DATE |
| 02/03/2004 | | |

DAVID S. RESNICK
NIXON PEABODY LLP
100 SUMMER STREET
BOSTON, MA 02110

CONFIRMATION NO. 3822

371 FORMALITIES LETTER

OC000000020912956

Date Mailed: 10/20/2006

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 04/19/2006
- Copy of the International Search Report filed on 04/19/2006
- Preliminary Amendments filed on 04/19/2006
- Information Disclosure Statements filed on 04/19/2006
- Biochemical Sequence Diskette filed on 04/19/2006
- Biochemical Sequence Listing filed on 04/19/2006
- Request for Immediate Examination filed on 04/19/2006
- U.S. Basic National Fees filed on 04/19/2006
- Priority Documents filed on 04/19/2006
- Specification filed on 04/19/2006
- Claims filed on 04/19/2006
- Abstracts filed on 04/19/2006
- Drawings filed on 04/19/2006

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions

of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

DEBORAH D WILLIAMS

Telephone: (703) 308-9140 EXT 205

PART 1 - ATTORNEY/APPLICANT COPY

| U.S. APPLICATION NUMBER NO. | INTERNATIONAL APPLICATION NO. | ATTY. DOCKET NO. |
|-----------------------------|-------------------------------|------------------|
| 10/576,388 | PCT/US04/03020 | 003252-53292 |

FORM PCT/DO/EO/905 (371 Formalities Notice)